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March 11, 2010

**MEMORANDUM**

**TO:** Mr. Kirk McClelland  
Director, Office of Highway Development

**FROM:** Dennis German  
Chief, Community Design Division 

**PROJECT:** MD 24 (Rocks Road) Slope Repair Project Priority Sections

**RE:** Advisory Committee Meeting Minutes

The initial Advisory Committee Meeting for the MD 24 project was held on February 18, 2010 at the Harford County Council Chamber at 212 South Bond Street, Bel Air, Maryland. The following people were in attendance:

Mr. Greg Golden	Maryland Department of Natural Resources (DNR) – Environmental Review Unit
Mr. Daryl Anthony	DNR – Maryland Park Service
Mr. Chris Bushman	DNR – Maryland Park Service
Mr. David Malkowski	Maryland State Highway Administration (SHA) – District 4
Ms. Fran Ward	SHA – District 4
Mr. Terry Maxwell	SHA – Office of Environmental Design
Mr. Dennis German	SHA – Office of Highway Development
Mr. Kirk McClelland	SHA – Office of Highway Development
Ms. Jialin Tian	SHA – Office of Highway Development
Mr. Lee McDaniel	Deer Creek Scenic River Advisory Board
Ms. Mary Ann Lisanti	Harford County Council Member
Mr. Chad Shrodes	Harford County Council Member
Senator Barry Glassman	Maryland State Legislature
Mr. Steve Hurt	Maryland Department of the Environment (MDE) – Nontidal Wetlands Division
Mr. Ben Lloyd	Rocks Area Resident
Mr. David Jones	Rocks Area Resident
Ms. Deborah Bowers	Rocks Area Resident – Save the Rocks
Ms. Debbie Coomes	Rocks Area Resident – Save the Rocks

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Mr. Brian Goodman	Rocks Area Resident – Save the Rocks
Ms. Rachel Konopacki	The AEGIS Newspaper
Mr. Joseph DaVia	US Army Corps of Engineers
Mr. Jack Dinne	US Army Corps of Engineers
Mr. Mitch Keiler	US Fish and Wildlife
Mr. Bill Schultz	US Fish and Wildlife

The mission of this Advisory Committee is to identify a solution which addresses the drainage and stability issues along MD 24, ensures public safety and does so in a manner which preserves the integrity of the natural, scenic and historical resources in the surrounding area. The purpose of this meeting is to introduce the project background, clarify the project purpose and need, develop a greater understanding of the concerns of local stakeholders and discuss ongoing activities.

Mr. Dave Malkowski opened the meeting and discussed the format for the conduct of these advisory meetings. The Maryland State Highway Administration (SHA) and Department of Natural Resources (DNR) plan to have three or four Advisory Committee meetings with the intent of reaching a mutually agreeable concept for addressing the project purpose. A public meeting will be scheduled upon conclusion of the Advisory Committee work to introduce the results to the public at large. The Advisory Committee meetings are open to the public. However, for those who observe the meetings, the advisory team member will be available after the meeting for any questions or concerns.

Harford County Council member Chad Shrodes expressed his appreciation for a second chance to do the project the right way. Mr. Shrodes then discussed the importance of preserving the natural features in Rocks State Park and along Deer Creek. Rocks State Park is a remarkable regional resource in Harford County and even the entire State of Maryland. Deer Creek watershed provides high quality fish and wildlife habitat. MD 24, running through the Rocks State park and parallel to Deer Creek, is not only a commuter route but also used for park recreationists and fishermen. Mr. Shrodes proposed a multi-use trail along MD 24 that serves as a means for park visitors to better access the creek and other areas of the park. The current roadway is barely pedestrian friendly. He recommended installing several pedestrian crossings along MD 24 with the guardrail open to allow access to the creek. Councilmember Shrodes also presented a copy of the Harford County zoning mapping depicting current zoning restrictions in the northwest area of the county. This demonstrates the limited opportunity for significant growth to occur with the greater project area. The County Land Use Plan recommended maintaining the rural village atmosphere while the increase of traffic generation in this area will be minimal. Harford County has recently passed a county transportation plan that encourages maintaining the present width of the MD 24 roadway.

Harford County Councilmember Mary Ann Lisanti, then expressed her interest and concerns regarding this project. As the Executive Director of the Lower Susquehanna Heritage Greenway, Inc, Councilmember Lisanti briefly described the Lower Susquehanna Byway and the heritage area along the Deer Creek Corridor. The Lower Susquehanna Byway is one of the State designated byways and is applying for designation under the National Scenic Byways program. The Heritage Greenway Inc provided funding in the amount of \$135,000 to develop a Concept Management Plan for the two sections as case studies for the entire

corridor and offered the assistance of its' consultant firm, Parsons Brinckerhoff Inc, to facilitate the Advisory Committee meetings.

The Central Regional Manager from DNR, Mr. Daryl Anthony, gave a brief background of the Rocks State Park. DNR's duty is preserving the natural, cultural, historical and recreation features in the park while providing safe access to the park.

Mr. Kirk McClelland, Director of SHA's Office of Highway Development, began his presentation by stating SHA would start over on the development of this project. It is a great opportunity for SHA to identify the concerns of all local stakeholders and develop solutions that address SHA's basic needs in a fashion that is mutually agreeable to all.

Kirk began a power point presentation to introduce the project background, purpose and needs, crash history, and stream bank erosion symptoms.

The project was initiated based on the geotechnical report completed in 2003 which examined the slope conditions along MD 24. The study identified seven sections with varying degrees of slope failure. The current projects in design include two of seven sections identified as needing slope stabilization. The current two sites that are in the design phase have the most severe erosion concerns encroaching on the roadway and require more immediate attention. The northern section, Section A, extends from the Deer Creek Bridge to 1,200 feet south of the bridge. The southern section, Section G, extends from 900 feet south of Sharon Road to 1,700 feet north of Ferncliff Lane. Section A is located entirely within the park and most of Section G is situated south of the Park's boundary.

The purpose of this project is to improve road safety along MD 24 by repairing the pavement, improving roadway drainage, and addressing roadside safety concerns associated with the eroding supporting slopes. In deference to public input, SHA has dismissed a proposal for bicycle-compatible shoulders on both sides of the roadway.

Based on the crash history between 2006 and 2008, there were a total 34 crashes registered along the entire 2.4 mile length of MD 24, from the south end of Section G to the north end of Section A. Eleven of the crashes were attributable to speed, six were associated with inattentive driving, six were associated with wet roadway surfaces, and two crashes are involved with trucks. The fixed object crashes predominated types of crashes. Compared to similar type of the roadways statewide, the number of crashes occurring in this segment of MD 24 is below the state wide average. With only two truck-involved crashes within 3-year period, the truck traffic does not appear to be a major issue through this area.

During recent years, SHA maintenance personnel have performed numerous patching, resurfacing and repair of the damaged guardrail along this section of road. The erosion problems along the bank of Deer Creek are a result of two aspects; poor roadway surface drainage and the erosion from the Creek. Few existing drainage facilities, such as longitude ditches or inlets, were identified in the project area. In cold weather, surface water which cannot runoff the roadway efficiently becomes frozen jeopardizing the travelers' safety. Water that does flow the road causes erosion of the top of the supporting slope. This erosion is causing loss of support for guardrail and encroachment into the pavement edge. At the toe of slope along the stream bank, increased stream flow, resulting from upstream development, ,

Deer Creek is gradually eroding its embankment. The erosion that is occurring at the lower portion of the stream bank over time has also contributed to the instability of the roadway

The road, through continual maintenance and observation, is safe to drive now. This project is to proactively address the erosion issues. The erosion is developing slowly; however, a large storm or a sudden spring like thaw may accelerate the erosion of the slope. In order to ensure the public safety, a solution needs to be developed quickly to stave off the potential of an emergency issue.

There are some ongoing activities along MD 24 that the public may observe. SHA District 4 is performing maintenance effort project to fix the damaged guardrail along MD 24. Due to the eroding supporting slopes, the normal 6 foot guardrail posts are being replaced with 8 foot long posts to improve stability. Due to the increment weather, this repair work will continue in the next few months.

Soil exploration activities were shut down in late January at the request of the community, but will need to resume with better weather to allow SHA to fully understand the geology of the area immediately adjacent to the roadway. Soil exploration provides the subsurface data such as bedrock elevation which is necessary to evaluate project options. While it provides crucial information related to rock type and hardness, it is not in any way related to blasting. The drilling activities were coordinated with DNR when it was first initiated in late December. SHA will have on-going coordination with DNR when the drilling resumes. Ms. Deborah Bowers, one of the core members of "Save the Rocks", questioned how drilling on the hill, approximately 40 feet away from the roadway centerline, is related to the surface drainage improvement. She requested SHA put the explanation in layman's term so the general public could have a better understanding of the soil exploration activities. Mr. David Jones, a Geohydrologist from the US Army, requested access to the boring data and rock core information for the committee at a future meeting.

Kirk gave a brief explanation of the Highway Needs Inventory (HNI) and how it relates to SHA long range planning process. The inventory indicates SHA's long term needs for all state highways and is prepared in consultation with counties to ensure proposed transportation improvements are consistent with the counties master plans and approved land use plan. . MD 24 is not identified for any future expansion and is limited to safety needs and regular maintenance.

Senator Glassman raised the questions regarding the funding source for these projects. The projects, including both sections, are funded for design, right-of-way acquisition and construction. Due the cost of these projects funding is being provided through SHA's secondary roadway improvement program. Currently, SHA is looking to fund Section A using State funds and Section G using Federal funds. Ms. Deborah Bowers asked whether or not Transportation Enhancement money could be used for these projects. The typical activities eligible for Transportation Enhancements Program (TEP) funds include enhancement of pedestrian and bicyclist facilities, installation of amenities on scenic and/or historical highways, restoration and creation of wetlands, and other transportation related projects. Roadway improvement projects are not eligible for participation under the Transportation Enhancement Program. All TEP projects require a local sponsor(s) for funding at least half of the project costs. The 50% local contribution can be either cash or soft match. The state funding for this project comes from the State Transportation Trust Fund

Program. Senator Glassman also required the design budget for the projects. SHA will provide the information after the meeting.

Mr. Lee McDaniel, representing the Deer Creek Scenic River Advisory Board and Deer Creek Watershed Association said stream bank armoring on the roadway side may adversely affect the other side of the stream, where more private properties are located. In order to protect the water quality, surface water runoff will need to be filtered in some way before it drains to the creek.

Ms. Marsha Kaiser, the meeting facilitator then asked the local representatives to express their individual perspective to SHA and its partner agencies for discussion and incorporation.

Mr. Jones stated that the focus of the Committee is to ensure that the project work was conducted in a manner that provides an acceptable level of safety to the general public, was protective of the environmental, preserved notable park features and addresses public input adequately. Mr. Jones introduced a written objective paper that he had prepared in advance and briefly described his perspective. The objective and risk management strategies consisted of three main components: maximizing all aspects of public safety; preserving aesthetics, environmental and cultural resources in Rocks State Park; and preserving physical and environmental characteristics of Deer Creek surface water body.

Mr. Brian Goodman, one of the core members of "Save the Rocks" advocacy group, said that based upon the Harford County Deer Creek Watershed Restoration Action Strategy (WRAS), this section of Deer Creek is ranked #17 for restoration but #4 for protection among the twenty some subwatersheds along Deer Creek. Special protection to the stream and roadway need to be considered while developing a solution. Many local residents feel MD 24 through this area of Harford County much like a village main street. All special features along the roadway need to be respected. Kirk stated that SHA would locate all sensitive features on the rocks side and the most severe erosion spots along the creek at the field.

Ms. Bowers said an institutional change in SHA is needed. The fans of Save the Rocks on facebook felt that SHA cannot be trust. Rocks has to be respected. The solution should focus on the stream bank restoration. The 8,600 fans of Save the Rocks do not want to see the road move an inch, nor do they want to see retaining walls along the Creek.

Mr. Joseph DaVia, U.S. Army Corps of Engineers, said this was a pre-application consultation process. The committee will need to evaluate all alternatives then come to a solution. Shifting the road or maintaining the roadway at its existing place are options that need to be discussed and assessed equally. Thorough evaluation of all options is required by federal law before state agencies can adopt a selected alternative. There will be compromises made on both sides as this project progresses. The final selected solution may not be anybody's favorite. Mr. DaVia stated that SHA's purpose and need for the MD 24 project is well written and acceptable to the Corps.

Regarding the current guardrail project along MD 24, Ms. Bowers said the galvanized guardrail does not match the character of this scenic area. The guardrail is quite high and blocks the view to the stream from a passenger car. Kirk explained that the guardrail is to protect errant vehicles.

Mr. Terry Maxwell, the State Scenic Byway coordinator for SHA, said there were several innovative context sensitive solutions could be considered for this project. He suggested that if sections of boulders have to be removed, the rock can be cut using historic drilling methods to replicate the look of the current rock faces.

Deputy Superintendent of DNR Park Service, Colonel Lieutenant Chris Bushman spoke up at the conclusion of the meeting. DNR and its park rangers will fulfill their duties to protect all park resources.

In order to identify what matters most to the stakeholders of the projects, Marsha conducted an exercise to rate the most important aspects of design to the Committee. These aspects that were rated are based on existing project objectives and ideas from the Committee members themselves. Below are the ideas listed at the meeting and the relative importance assigned to each of them by the voting committee members.

Objectives	Votes
Enhance Park Setting	1
Avoid/Minimize Creek impacts	8
Maintain Current Roadway Width	5
Limit Disturbance and/or Enhancement of Rock Features	6
Minimize Tree Loss	0
Reduce Vehicle Speeds	0
Enhance Pedestrian safety	2
Minimize the Impacts, including physical, natural, environmental and esthetic, to Park and Private Property.	3
Minimize Construction Duration	0
Maintain Access for Park Users	0
Maintain View Shed of Road and Stream	3
Address Bicycle Needs	0
Improve Environment	3
Accommodate water users and all travelers	0
Guard Rail Treatment Alternatives	0
Explore Alternative Signs and Features	0
Protect Historic, Cultural, and Endangered Species	7
Maintain Natural Habitat flora/fauna	1
Water Quality/Quantity/Storm water Management	3

Based upon the above chart, the top three key factors which need to be considered are: avoiding or minimizing Creek impacts; protecting historic, cultural and endangered species; and limit disturbance and/or enhancement of rock features. However, all objectives listed above are important and will be considered and appropriately analyzed and balanced by SHA and the Advisory Committee as alternatives are developed and the review process proceeds.

The next meet will be scheduled in late March or early April.

The above comments reflect my understanding of the topics discussed and decisions reached at this meeting. If you have any questions, comments, or corrections regarding this meeting or these minutes, please contact Mr. Dennis L. German, Chief, Community Design Division, SHA at 410-545-8900, toll free 888-228-5003 or via email at [dgerman@sha.state.md.us](mailto:dgerman@sha.state.md.us) within fourteen (14) days of this date.

cc: Attendees